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EXAMINER
SAEED, USMAAN

ART UNIT	PAPER NUMBER
2166	

NOTIFICATION DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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PTOL-90A (Rev. 04/07)

	Application No.	**Applicant(s)**
Office Action Summary	10/748,194	MONTAGNE, MICHAEL D.
	Examiner	**Art Unit**	
	Usmaan Saeed	2166	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>06 October 2006</u>.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-173* is/are pending in the application.

    4a) Of the above claim(s) *58 and 59* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-41, 44-57, 60-100, 103-157 and 160-173* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Response to Amendment

1.   Receipt of Applicant's Amendment, filed 10/06/2005 is acknowledged.

Applicant has appointed an attorney or agent to conduct all business before the

Patent and Trademark Office. *Double correspondence with an applicant and applicant's*

attorney or agent will not be undertaken. Accordingly, applicant is required to conduct all

future correspondence with this Office through the attorney or agent of record. See 37

CFR 1.33. If petitioner no longer wishes to be represented by any practitioners, a

revocation of power of attorney and change of address should be filed.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would.have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-41,44-57,60-100, 103-157, and 160-173 are rejected under 35 U.S.C.

103(a) as being unpatentable over Van Huben et al. ('Van Huben), USP 5,920,867 in

view of James Wolff ('Wolff' hereinafter), USP, 5,999,930.

With respect to claim 1,

Van Huben teaches a method of cooperatively processing public data (see col. 6, lines 51-54), comprising:

distributing the public data to private representative states (see col. 12, lines 23-26, Van Huben);

without holding an exclusive privilege to write to the public data (see col. 89, lines 32-34, Van Huben), generating private states of the public data by processing one or more private representative states of the public data (see col. 12, lines 23-26, Van Huben); and

updating the public data by cooperatively posting data from the private representative states (see col. 43, lines 8-9 et seq., Fig. 61b, Van Huben).

Van Huben does not explicitly indicate the claimed exclusive privilege to write.

Wolff discloses the exclusive privilege to write (the control processes request and acquire exclusive ownership of the control table to provide to the clients exclusive write access to the data storage volume, see col. 3, lines 12-15,Wolff).

It would have been obvious to one ordinary skill in the data processing art at the time of the present invention to combine the teachings of the cited references because the exclusive privilege to write of Wolff's teaching would have allowed Van Huben's system distributed control of shared resources on a computer network as suggested by Wolff at col. 1, lines 39-40. Exclusive privilege to write as taught by Wolff improves multiple clients on a network share control over and responsibility for the coherency of a data storage volume (see col. 3, lines 5-6, Wolff).

As to claim 2,

Van Huben teaches concurrently registering at least one of the one or more

generated private states to retentive media (see col. 12, lines 23-26, Van Huben).

As to claim 3,

Van Huben teaches wherein said processing of the one or more private

representative states of the public data is oriented to a concurrently registered private

state (see col. 12, lines 23-26, Van Huben), whereby a startup procedure re-triggering

any previously running process from a given phase of operation automatically resumes

an active process or state, should it be terminated, however inadvertently (see col. 33,

lines 11-15, Van Huben).

As to claim 4,

Van Huben teaches the one or more private representative states of the public

data are stored in a table (see col. 12, lines 23-26, Van Huben).

As to claim 5,

Van Huben teaches wherein private representative states of the public data are

negotiated by means of any number of identifying fields, classifying states relevant to

processing (see col. 12, lines 23-26 et seq., Van Huben).

As to claim 6,

Van Huben teaches retaining one or more of the generated private states in

retentive media associated with a remote system (see col. 12, lines 23-26 et seq., Van

Huben).

As to claim 7,

Van Huben teaches wherein retaining one or more of the generated private states in retentive media associated with the remote system is performed in response to detecting a write to remotely maintained state event (see col. 12, lines 23-26, col. 14, lines 4-8 and Fig. 8A, Van Huben).

As to claim 8,

Van Huben teaches causing one or more nodes of cooperative applications to register separate copies of one or more private representative states (see col. 12, lines 23-26 and col. 14, lines 4-8, Van Huben) to retentive media in conjunction with registration of a separate copy of the public data to retentive media (see col. 45, lines 21-25, Fig. 8A, Van Huben).

As to claim 9,

Van Huben teaches using one or more cooperative resource descriptors to negotiate cooperative resources related to public data, wherein the one or more cooperative resource descriptors relate the cooperative resources to the public data (see col. 14, lines 4-8, Van Huben).

As to claim 10,

Van Huben teaches using a common organization of data processing resources in relation to a public data resource (see col. 14, lines 4-8, Van Huben); and

in response to identifying any one of the one or more cooperative resource descriptors to focusable processes, negotiating the data processing resources designated by the identified cooperative resource descriptor in accordance with the common organization (see col. 6, lines 51-54, Van Huben).

As to claim 11,

Van Huben teaches interchangeably focusing processes operating on the organization of data processing resources (see col. 14, lines 31-34, Van Huben); and managing the availability of resources to processes so as to enable a given organization of data processing resources to be negotiated (see col. 14, lines 35-38, Van Huben).

As to claim 12,

Van Huben teaches using a graphic control to invoke a process on a public or private data resource identified by a focused cooperative resource descriptor (see col. 6, lines 51-54, Van Huben).

As to claim 13,

Van Huben teaches wherein an intended cooperative resource descriptor, or organization as indicated by a cooperative resource descriptor (see col. 6, lines 51-54), is focused automatically in response to an event or condition devised to be unique and to coincide with demand for resources described by the resource descriptor or belonging to the organization (see col. 14, lines 35-35, Van Huben).

As to claim 14,

Van Huben teaches concurrently registering to retentive media an identity of the focused cooperative resource descriptor in response to focusing the cooperative resource descriptor (see col. 6, lines 51-54); and

after termination of the application, initiating a subsequent session of the application, including re-imposing conditions triggering re-focus of the cooperative resources associated by the cooperative resource descriptor (see col. 6, lines 51-54);

whereby the subsequent session of the application is automatically restored with a cooperative focus of the application intact (see col. 6, lines 51-54 and Fig. 8A).

As to claim 15,

Van Huben teaches concurrently registering to retentive media an identity of a descriptor of interfaces associated with the organization of cooperative resources needed by the interfaces (see col. 6, lines 51-54);

after termination of the application, initiating a subsequent session of the application, including re-imposing conditions triggering re-focus of the cooperative resources associated by the cooperative resource descriptor (see col. 6, lines 51-54);

whereby the subsequent session of the application is automatically restored with a cooperative focus of the application intact (see col. 6, lines 51-54 and Fig. 8A).

As to claim 16,

Van Huben teaches the private representative states include a private work state embodied in retentive media, that represents a present state of processing on the public data (see col. 12, lines 23-26, col. 14, lines 4-8 and Fig. 8A, Van Huben);

the private representative states include a private undo state embodied in retentive media, that represents an earlier state of processing on the public data (see col. 12, lines 23-26, col. 14, lines 4-8 and Fig. 8A, Van Huben); and

the method further comprises concurrently registering the private work state to the private undo state (see col. 12, lines 23-26, col. 14, lines 4-8 and Fig. 8A, Van Huben).

As to claim 17,

Van Huben teaches the private representative states include a private work state embodied in retentive media, that represents a present state of processing on the public data (see col. 12, lines 23-26, col. 14, lines 4-8 and Fig. 8A, Van Huben);

the private representative states include a private re-do state embodied in retentive media, that represents an earlier state of processing that, if an undo process was performed, existed just prior to performance of an undo process (see col. 7, lines 42-45, Van Huben), or otherwise exists as originally distributed and potentially modified thereafter by other processes (see col. 12, lines 23-26, col. 14, lines 4-8 and Fig. 8A, Van Huben); and

the method further comprises concurrently registering the private re-do state to the private work state (see col. 12, lines 23-26, col. 14, lines 4-8 and Fig. 8A, Van Huben).

As to claim 18,

Van Huben teaches the private representative states include a private work state embodied in retentive media, that represents a present state of processing on the public data (see col. 12, lines 23-26, col. 14, lines 4-8 and Fig. 8A, Van Huben);

the private representative states include a private re-do state embodied in retentive media, that represents an earlier state of processing that (see col. 7, lines 42-45, Van Huben), if an undo process was performed, existed just prior to performance of an undo process, or otherwise exists as originally distributed and potentially modified thereafter by other processes (see col. 12, lines 23-26, col. 14, lines 4-8 and Fig. 8A, Van Huben);

the private representative states include a private undo state embodied in

retentive media, that represents an earlier state of processing on the public data (see

col. 12, lines 23-26, col. 14, lines 4-8 and Fig. 8A, Van Huben); and

the method further comprises concurrently registering the private work state to

the private re-do state, and thereafter concurrently registering the private undo state to

the private work state (see col. 12, lines 23-26, col. 14, lines 4-8 and Fig. 8A, Van

Huben).

As to claim 19,

Van Huben teaches the private representative states include a private work state

embodied in retentive media, that represents a present state of processing on the public

data (see col. 12, lines 23-26, col. 14, lines 4-8 and Fig. 8A, Van Huben);

the private representative states include a private original state embodied in

retentive media (see col. 12, lines 23-26, col. 14, lines 4-8 and Fig. 8A, Van Huben);

distributing the public data to the private work area includes distributing the public

data to the private original state (see col. 7, lines 42-45, Van Huben); and

the method further comprises concurrently registering the private original state to

the private work state (see col. 12, lines 23-26, col. 14, lines 4-8 and Fig. 8A, Van

Huben).

As to claim 20,

Van Huben teaches the private representative states include a private work state

embodied in retentive media, that represents a present state of processing on the public

data (see col. 12, lines 23-26, col. 14, lines 4-8 and Fig. 8A, Van Huben);

the private representative states include a private original state embodied in retentive media (see col. 12, lines 23-26, col. 14, lines 4-8 and Fig. 8A, Van Huben);

the private representative states include one or more other representative states embodied in retentive media (see col. 7, lines 42-45, and Fig. 8A, Van Huben); and

the method further comprises assigning the private original state to the one or more other representative states and to the private work state (see col. 12, lines 23-26, col. 14, lines 4-8 and Fig. 8A, Van Huben), wherein assigning the private original state to the other representative states comprises concurrently registering the private original state to the other representative states, and assigning the private original state to the private work state comprises concurrently registering the private original state to the private work state (see col. 7, lines 42-45, Van Huben).

As to claim 21,

Van Huben teaches the private representative states are embodied in retentive media (see col. 12, lines 23-26, col. 14, lines 4-8 and Fig. 8A, Van Huben); and

the method further comprises, after distributing the public data to the private representative states embodied in retentive media, again distributing the public data to the private representative states embodied in retentive media (see col. 12, lines 23-26, col. 14, lines 4-8 and Fig. 8A, Van Huben).

As to claim 22,

Van Huben teaches the private representative states are embodied in retentive media (see col. 12, lines 23-26, col. 14, lines 4-8 and Fig. 8A, Van Huben); and

the method further comprises, after distributing the public data to the private

representative states embodied in retentive media, distributing to the private

representative states only those fields of the public data that correspond to unmodified

fields of the private representative states (see col. 12, lines 23-26, col. 14, lines 4-8 and

Fig. 8A, Van Huben).

As to claim 23,

Van Huben teaches one or more of the private representative states embodied in

retentive media include a private work state that represents a present state of

processing on the public data (see col. 12, lines 23-26, col. 14, lines 4-8 and Fig. 8A,

Van Huben); and

the method further comprises: detecting that a field of the private work state is

presently under processing, and in response thereto treating said field of the private

work state as a modified field of the private representative states (see col. 12, lines 23-

26, col. 14, lines 4-8 and Fig. 8A, Van Huben).

As to claim 24,

Van Huben teaches the private representative states includes a private work

state that represents a present state of processing on the public data (see col. 12, lines

23-26, col. 14, lines 4-8 and Fig. 8A, Van Huben);

the private representative states includes a private original state (see col. 7, lines

42-45, Van Huben);

distributing the public data to the private representative states includes

distributing the public data to the private original state (see col. 12, lines 23-26, col. 14,

lines 4-8 and Fig. 8A, Van Huben); and

updating the public data by cooperatively posting data from the private

representative states comprises comparing the private work state to the private original

state and cooperatively posting to the public data only those fields of the private work

state which differ from corresponding fields of the private original state (see col. 7, lines

56-65, Van Huben).

As to claim 25,

Van Huben teaches wherein the private work state and the private original state

are embodied in retentive media (see col. 12, lines 23-26, col. 14, lines 4-8 and Fig. 8A,

Van Huben).

As to claim 26,

Van Huben teaches prior to updating the public data, updating the private original

state to reflect data previously posted to the public data (see col. 12, lines 23-26, col.

14, lines 4-8 and Fig. 8A, Van Huben).

As to claim 27,

Van Huben teaches wherein cooperatively posting to the public data only those

fields of the private work state that differ from corresponding fields of the private original

state comprises: repeatably attempting to obtain a privilege to write to the public data

until the privilege is obtained (see col. 12, lines 23-26, col. 14, lines 4-8 and Fig. 8A,

Van Huben); writing differentiated fields of the private work state to the public data (see

col. 12, lines 23-26, col. 14, lines 4-8 and Fig. 8A, Van Huben); and thereupon releasing

the privilege to write to the public data (see col. 7, lines 56-65, Van Huben), wherein a

duration defined from a first moment when the privilege is obtained until a second

moment when the privilege is released extends for no more than a sufficiently minimal

duration (see col. 12, lines 23-26, col. 14, lines 4-8 and Fig. 8A, Van Huben).

As to claim 28,

Van Huben teaches wherein the method further comprises: writing to the private

original state, data written to the public data (see col. 12, lines 23-26, col. 14, lines 4-8

and Fig. 8A, Van Huben).

As to claim 29,

Van Huben teaches one or more of the private representative states includes a

private work state that represents a present state of processing on the public data (see

col. 12, lines 23-26, col. 14, lines 4-8 and Fig. 8A, Van Huben);

one or more of the private representative states includes a private last posted

state (see col. 12, lines 23-26, col. 14, lines 4-8 and Fig. 8A, Van Huben);

distributing the public data to the private representative states embodied in

retentive media includes distributing the public data to the private last posted state; and

updating the public data by cooperatively posting data from the private

representative states comprises comparing the private work state to the private last

posted state, cooperatively posting to the public data (see col. 7, lines 56-65, Van

Huben)only those fields of the private work state which differ from corresponding fields

of the private last posted state, and thereupon assigning to the last posted state, fields

posted to the public data (see col. 12, lines 23-26, col. 14, lines 4-8 and Fig. 8A, Van

Huben).

As to claim 30,

Van Huben teaches wherein the private work state and the private last posted

state are embodied in retentive media (see col. 12, lines 23-26, col. 14, lines 4-8 and

Fig. 8A, Van Huben).

As to claim 31,

Van Huben teaches wherein cooperatively posting to the public data only those

fields of the private work state that differ from corresponding fields of the private last

posted state comprises: repeatably attempting to obtain a privilege to write to the public

data until the privilege is obtained (see col. 12, lines 23-26, col. 14, lines 4-8 and Fig.

8A, Van Huben);

writing differentiated fields of the private work state to the public data (see col.

12, lines 23-26, col. 14, lines 4-8 and Fig. 8A, Van Huben); and

thereupon releasing the privilege to write to the public data, wherein a duration

defined from a first moment when the privilege is obtained until (see col. 7, lines 56-65,

Van Huben) a second moment when the privilege is released extends for no more than

a sufficiently minimal duration (see col. 12, lines 23-26, col. 14, lines 4-8 and Fig. 8A,

Van Huben).

As to claim 32,

Van Huben teaches wherein the method further comprises: writing to the private

last posted state, data written to the public data (see col. 12, lines 23-26, col. 14, lines

4-8 and Fig. 8A, Van Huben).

As to claim 33,

Van Huben teaches wherein cooperatively posting data from the private

representative states comprises: obtaining a privilege to write to the public data (see

col. 12, lines 23-26, col. 14, lines 4-8 and Fig. 8A, Van Huben);

writing the data from the private representative states to the public data (see col.

12, lines 23-26, col. 14, lines 4-8 and Fig. 8A, Van Huben); and

thereupon releasing the privilege to write to the public data, wherein a duration

defined from a first moment when the privilege is obtained until a second moment when

the privilege is released extends for no more than a sufficiently minimal duration (see

col. 12, lines 23-26, col. 14, lines 4-8 and Fig. 8A, Van Huben).

As to claim 34,

Van Huben teaches wherein obtaining the privilege to write to the public data

comprises: repeatably attempting to obtain the privilege to write to the public data until

the privilege is obtained (see col. 12, lines 23-26, col. 14, lines 4-8 and Fig. 8A, Van

Huben).

As to claim 35,

Van Huben teaches delegating performance of obtaining the privilege to write to

the public data to a cooperative processing object (see col. 12, lines 23-26, col. 14, lines

4-8 and Fig. 8A, Van Huben).

As to claim 36,

Van Huben teaches delegating, to a cooperative processing object, performance of obtaining the privilege to write to the public data (see col. 7, lines 26-30, Van Huben), performance of writing the data from the private representative states to the public data, and performance of releasing the privilege to write to the public data (see col. 12, lines 23-26, col. 14, lines 4-8 and Fig. 8A, Van Huben); and

the cooperative processing object further delegating, to a delegated cooperative processing object, performance of obtaining the privilege to write to the public data, performance of writing the data from the private representative states to the public data, and performance of releasing the privilege to write to the public data (see col. 12, lines 23-26, col. 14, lines 4-8 and Fig. 8A, Van Huben).

As to claim 37,

Van Huben teaches detecting that performance of obtaining the privilege to write to the public data, performance of writing the data from the private representative states to the public data, and performance of releasing the privilege to write to the public data have been successfully delegated to the delegated cooperative processing object (see col. 12, lines 23-26, col. 14, lines 4-8 and Fig. 8A, Van Huben), and in response thereto, the cooperative processing object passing control to a subsequent phase of processing (see col. 7, lines 26-30, Van Huben).

As to claim 38,

Van Huben teaches concurrently registering a phase identifier to retentive media

so that a process iterating from the registered phase identifier resumes operation (see

col. 12, lines 23-26, col. 14, lines 4-8 and Fig. 8A, Van Huben).

As to claim 39,

Van Huben teaches concurrently registering a phase identifier to retentive media

so that a process iterating from the registered phase identifier resumes operation (see

col. 12, lines 23-26, col. 14, lines 4-8 and Fig. 8A, Van Huben).

As to claim 40,

Van Huben teaches wherein cooperatively posting data from the private

representative states comprises: delegating performance of cooperative posting to a

delegated cooperative posting object, wherein in response to said delegating, the

delegated cooperative posting object performs: repeatedly attempting to obtain a

privilege to write to the public data until the privilege is obtained (see col. 12, lines 23-

26, col. 14, lines 4-8 and Fig. 8A, Van Huben); writing one or more of the private states

to the public data (see col. 12, lines 23-26, col. 14, lines 4-8 and Fig. 8A, Van Huben);

and thereupon releasing the privilege to write to the public data, wherein a duration

defined from a first moment when the privilege is obtained until a second moment when

the privilege is released extends for no more than a sufficiently minimal duration (see

col. 7, lines 26-30, Van Huben).

As to claim 41,

Van Huben teaches wherein the delegated cooperative posting object is distinct from a cooperative posting object that performs the delegating step (see col. 12, lines 23-26, col. 14, lines 4-8 and Fig. 8A, Van Huben).

As to claim 44,

Van Huben teaches storing in the private representative states an auxiliary state that is not representative of the public data, and that is not representative of processing of the public data (see col. 12, lines 23-26, col. 14, lines 4-8 and Fig. 8A, Van Huben).

As to claim 45,

Van Huben teaches using the auxiliary state as part of a process (see col. 12, lines 23-26, col. 14, lines 4-8 and Fig. 8A et seq., Van Huben).

As to claim 46,

Van Huben teaches wherein distributing the public data to the private representative states and updating the public data by cooperatively posting data from the private representative states are performed by a cooperative processing object (see col. 12, lines 23-26, col. 14, lines 4-8 and Fig. 8A, Van Huben).

As to claim 47,

Van Huben teaches the cooperative processing object conditionally navigating to a new public data instance based upon successful completion of updating the public data by cooperatively posting data from the private representative states ((see col. 7, lines 42-45 et seq., Van Huben).

As to claim 48,

Van Huben teaches wherein updating the public data by cooperatively posting

data from the private representative states is performed in response to a write to public

instance event that is invoked by the cooperative processing object in response to

detection of an attempted navigation to the new public data instance (see col. 12, lines

23-26, col. 14, lines 4-8 and Fig. 8A, Van Huben).

As to claim 49,

Van Huben teaches wherein the private representative states comprise: a local

private work area; and a remote private work area (see col. 12, lines 23-26, col. 14,

lines 4-8 and Fig. 8A, Van Huben).

As to claim 50,

Van Huben teaches wherein the public data is stored in a database system v.

As to claim 51,

Van Huben teaches wherein distributing the public data to the private

representative states and updating the public data by cooperatively posting data from

the private representative states are performed by one or more operating system

objects (see col. 12, lines 23-26, col. 14, lines 4-8 and Fig. 8A, Van Huben).

As to claim 52,

Van Huben teaches a server-side application assigning a unique identification to

a client application session (see col. 12, lines 23-26, col. 14, lines 4-8 and Fig. 8A, Van

Huben);

passing a universal resource indicator to a local application, wherein the
universal resource indicator includes the unique identification and a process argument
(see col. 12, lines 23-26, col. 14, lines 4-8 and Fig. 8A, Van Huben);

associating records of one or more private representative states with the client
application session and one or more associated, processed data by means of the
unique identification (see col. 12, lines 23-26, col. 14, lines 4-8 and Fig. 8A, Van
Huben);

passing the universal resource indicator from a client system to the server-side
application (see col. 12, lines 23-26, col. 14, lines 4-8 and Fig. 8A, Van Huben); and

the server-side system using the universal resource indicator to resume the client
application session (see col. 7, lines 26-30, Van Huben).

As to claim 52,

Van Huben teaches logging the universal resource indicator to a table in
response to the local application requesting a universal resource indicator from the
server-side application (see col. 12, lines 23-26, col. 14, lines 4-8 and Fig. 8A, Van
Huben).

As to claim 54,

Van Huben teaches using the universal resource indicator to identify a last log
entry in the table; and using the identified last log entry in the table to restore a
previous, ongoing navigational and/or work status of a local application (see col. 12,
lines 23-26, col. 14, lines 4-8 and Fig. 8A, Van Huben).

As to claim 55,

Van Huben teaches presenting to the local application a retained history of client

navigation (see col. 12, lines 23-26, col. 14, lines 4-8 and Fig. 8A, Van Huben).

As to claim 56,

Van Huben teaches wherein the retained history of client navigation is in the form

of links comprising one or more universal resource indicators of the history (see col. 7,

lines 26-30, Van Huben).

As to claim 57,

Van Huben teaches restricting data-oriented operations to permitted, integral

data (see col. 12, lines 23-26, col. 14, lines 4-8 and Fig. 8A, Van Huben).

Claims 60-100, 103-157, and 160-173 are the same scope and limitations as

discussed above and should be rejected for same rationale as above.

Allowable Subject Matter

3.   Claims 42-43, 101-102, and 158-159 are objected to as being dependent upon a

rejected base claim, but would be allowable if rewritten in independent form including all

of the limitations of the base claim and any intervening claims.

The prior art of records does not specifically suggests wherein one or more of the

private representative states embodied in retentive media includes a private work state

that represents a present state of processing on the public data; one or more of the

private representative states embodied in retentive media includes a private original

state that represents the public data as initially distributed to the private representative

states; and distributing the public data to the private representative states comprises:

distributing a single copy of the public data to an assignment compatible instance of the

public data in a local private work area; distributing the single copy of the public data

from the assignment compatible instance of the public data in the local private work

area to a remainder of the private representative states; locally establishing an

obligation to post to the public data by detecting a difference between the private

original state and the private work state; and performing cooperative posting to the

public data only if the obligation to post to the public data is established.

Claims 41, 102 and 159 are further dependent to claims 42, 101, and 158 and

allowable for the same reasons as above.

Response to Arguments

4.   Applicant's arguments filed 10/06/2005 have been fully considered but they are

not persuasive.

Applicant argues that **Van Huben and Wolf** do not teach **"distributing the**

public data to private representative states, without holding an exclusive privilege

to write to the public data, generating private states of the public data by

processing one or more private representative states of the public data, and

updating the public data by cooperatively posting data from the private

representative states."

In response to the preceding arguments examiner respectfully submits that Van

Huben teaches **"distributing the public data to private representative states"** as for

example, much of the control information for private libraries can be cached locally in order to maximize performance for private library accesses. For public libraries, the DCS allows the user to take "snapshots" of a library in which the image of the library is refreshed locally (see col. 12, lines 23-26, **Van Huben**);

"without holding an exclusive privilege to write to the public data" as the DILRRSCS userid has read/write privileges to all the/.DSI subdirectories. The movement of files is accomplished via the sender building a transfer subdirectory, containing the files to be transferred in its/.DSI/PUN directory. (see col. 89, lines 32-34, **Van Huben**), **"generating private states of the public data by processing one or more private representative states of the public data"** as for example, much of the control information for private libraries can be cached locally in order to maximize performance for private library accesses. For public libraries, the DCS allows the user to take "snapshots" of a library in which the image of the library is refreshed locally (see col. 12, lines 23-26, **Van Huben**); and

"updating the public data by cooperatively posting data from the private representative states" as regardless of the change (adding a new Version, editing an existing one, or deleting), the Version map 19401 is updated accordingly. (see col. 43, lines 8-9 et seq., Fig. 61b, **Van Huben**).

Van Huben does not explicitly indicate the claimed exclusive privilege to write.

However, **Wolff** discloses the exclusive privilege to write (the control processes request and acquire exclusive ownership of the control table to provide to the clients exclusive write access to the data storage volume, see col. 3, lines 12-15,Wolff).

It would have been obvious to one ordinary skill in the data processing art at the time of the present invention to combine the teachings of the cited references because the exclusive privilege to write of Wolff's teaching would have allowed Van Huben's system distributed control of shared resources on a computer network as suggested by **Wolff** at col. 1, lines 39-40. Exclusive privilege to write as taught by Wolff improves multiple clients on a network share control over and responsibility for the coherency of a data storage volume (see col. 3, lines 5-6, **Wolff**).

Further applicant argues that the alleged combination of teaching does not exist and wouldn't have been obvious.

In response to applicant's argument, *a prima facie case of obviousness* is established when the teachings from the prior art itself would appear to have suggested the claimed subject matter to a person of ordinary skill in the art. Once such a case is established, it is incumbent upon appellant to go forward with objective evidence of unobviousness. In re Fielder, 471 F.2d 640, 176 USPQ 300 (CCPA 1973).

Examiner is entitled to give claim limitations their broadest reasonable interpretation in light of the specification.

Interpretation of Claims-Broadest Reasonable Interpretation

During patent examination, the pending claims must be 'given the broadest reasonable interpretation consistent with the specification.' Applicant always has the opportunity to amend the claims during prosecussion and broad interpretation by the

examiner reduces the possibility that the claim, once issued, will be interpreted more broadly than is justified. In re Prater, 162 USPQ 541,550-51 (CCPA 1969).

Reference is made to MPEP 2144.01 - Implicit Disclosure

"[I] n considering the disclosure of a reference, it is proper to take into account not only specific teachings of the reference but also the inferences which one skilled in the art would reasonably be expected to draw therefrom." In re Preda, 401 F.2d 825, 826, 159 USPQ 342, 344 (CCPA 1968).

Subsequent to an analysis of the claims it was revealed that a number of limitations recited in the claims belong in the prior art and thus encompassed and/or implicitly disclosed in the reference (s) applied and cited. It is logical for the examiner to focus on the limitations that are "crux Of the invention" and not involve a lot of energy and time for the things that are not central to the invention, but peripheral. The examiner is aware of the duties to address each and every element of claims, however, it is also important that a person prosecuting a patent application before the Office or an stakeholders of patent granting process make effort to understand the level of one of ordinary skill in the (data processing) art or the level one of skilled in the (data processing) art, as encompassed by the applied and cited references. The administrative Convenience derived from such a cooperation between the attorneys and examiners benefits the Office as well the patentee.

In view of the above, the examiner contends that all limitations as recited in the claims have been addressed in this Action.

For the above reasons, Examiner believed that rejection of the last Office action was proper.

In response to applicant's argument, to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine,* 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones,* 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992).

"Test of obviousness is not whether features of secondary reference may be bodily incorporated into primary reference's structure, nor whether claimed invention is expressly suggested in any one or all of references; rather, test is what combined teachings of references would have suggested to those of ordinary skill in art."

In re Keller, Terry, and Davies, 208 USPQ 871 (CCPA 1981).

"Reason, suggestion, or motivation to combine two or more prior art references in single invention may come from references themselves, from knowledge of those skilled in art that certain references or disclosures in references are known to be of interest in particular field, or from nature of problem to be solved;" Pro-Mold and Tool Co. v. Great Lakes Plastics Inc. U.S. Court of Appeals Federal Circuit 37 USPQ2d 1626 Decided February 7, 1996 Nos. 95-1171, - 1181

"[q]uestion is whether there is something in prior art as whole to suggest desirability, and thus obviousness, of making combination." Lindemann Maschinenfabrik GMBH v.

American Hoist and Derrick Company et al. U.S. Court of Appeals Federal Circuit 221

USPQ 481 Decided Mar. 21, 1984 No 83-1178.

Conclusion

5.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Applicant has appointed an attorney or agent to conduct all business before the

Patent and Trademark Office. *Double correspondence with an applicant and applicant's*

attorney or agent will not be undertaken. Accordingly, applicant is required to conduct all

future correspondence with this Office through the attorney or agent of record. See 37

CFR 1.33. If petitioner no longer wishes to be represented by any practitioners, a

revocation of power of attorney and change of address should be filed.

Contact Information

6.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Usmaan Saeed whose telephone number is (571)272-

4046. The examiner can normally be reached on M-F 8-5.

        If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Hosain Alam can be reached on (571)272-3978. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.
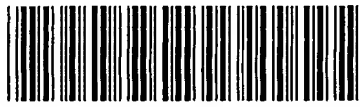
        Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

                                        Usmaan Saeed
                                        Patent Examiner
                                        Art Unit: 2166

Leslie Wong   US
Primary Examiner   September 25, 2007

HOSAIN ALAM
SUPERVISORY PATENT EXAMINER

Index of Claims	Application/Control No. 10748194	Applicant(s)/Patent Under Reexamination MONTAGNE, MICHAEL D.
	Examiner Saeed, Usmaan	Art Unit 2166

✓	Rejected	-	Cancelled	N	Non-Elected	A	Appeal
=	Allowed	÷	Restricted	I	Interference	O	Objected

☐ Claims renumbered in the same order as presented by applicant   ☐ CPA   ☐ T.D.   ☐ R.1.47

CLAIM		DATE								
Final	Original	09/25/2007								
	1	✓								
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